DETAILED ACTION

Response to Arguments

1.   Applicant's arguments (9/30/08 Remarks: page 6, line 12 - page 7, line 7) have been fully considered but they are not persuasive.

Applicant argues (9/30/08 Remarks: page 6, line 12 - page 7, line 7, particularly page 6, lines 12-22) that the judging means or step for judging the recited printing condition of the present invention judges based on image data to be printed.

However, the requirement that the image data to be printed governs this judging means or step (rather than governing the printing operation in general) is introduced by the present amendment to claims 1 & 12 (the two independent claims in the application, from which claims 7-11 & 18-22 depend). Thus, Applicant's arguments rest upon an Amendment After Final which has not been entered because it raises new issues that would require further consideration or search.

Conclusion

2.   Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of

a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/S. M. B./

Examiner, Art Unit 2625

/Thomas D Lee/

Primary Examiner, Art Unit 2625